

VIRGINIA WORKS

SPRING 2002

BOARD ADOPTS NEW STEEL ERECTION STANDARD

contributed by Diane Duell, DOLI

On October 18, 2001, the Virginia Safety and Health Codes Board adopted the new steel erection standard (with the exception concerning the fall protection provisions, see below). This is the first major revision to the standard in 30 years. Federal OSHA revised Subpart R of the steel erection standard through a negotiated rulemaking process. SENRAC (Steel Erection Negotiated Rulemaking Advisory Committee) developed the new standard and sent the proposed standard to Federal OSHA. Federal OSHA published its final rule on January 18, 2001. Although the initial effective date was July 18, 2001, Federal OSHA delayed implementation of the final rule until January 18, 2002.

The new steel erection rule establishes performance-oriented criteria to protect employees from a number of hazards. The new standard contains requirements for hoisting and rigging, structural steel assembly, beam and column connections, joist erection, systems-engineered metal building erection and fall protection and training.

Highlights of the Revised Federal Standard

The revised final steel erection standard modifies and strengthens the standard it replaces in a number of areas. Key provisions of the revised steel erection standard include:

Site Layout and Construction Sequence

- Requires certification of proper curing of concrete in footings, piers, etc. for steel columns.
- Requires controlling contractor to provide erector with a safe site layout including pre-planning routes for hoisting loads.

Site Specific Erection Plan

- Requires pre-planning of key erection elements, including coordination with controlling contractor before erection begins, in certain circumstances.

Hoisting and Rigging

- Provides additional crane safety for steel erection.

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INTERVENING TO PROTECT WORKERS FROM MOTOR VEHICLE INJURY AND DEATH

Several studies have analyzed the injuries and time lost by members of the Nation's workforce and concluded that the most preponderant cause of injury, resulting in absences and lost productivity, is traffic crashes.

Because traffic crashes account for the majority of workplace deaths and injuries, it is imperative that effective interventions be identified. Interventions in traffic safety typically have small effects but safety belts are nearly 50% effective in preventing death and injury. It makes sense to vigorously promote the use of safety belts as a workplace intervention. DRIVE SMART® Virginia (DSV) and several volunteer employer partners developed and tested an approach for improving employer safety belt use by using an educational/incentive-based approach. The idea was to explore alternative incentive models to determine which, if any, were the most effective.

DSV, with assistance from the Virginia Department of Motor Vehicles (DMV) and the Virginia Department of Labor and Industry (DOLI), recruited several organizations to test the effectiveness of the models. Each organization was asked to commit to the following criteria: 1) ensure management commitment to the program, 2) write and announce a safety belt policy, 3) collect safety belt use data before and after the program, 4) involve employees in the design and implementation of the program, 5) implement an occupant protection educational program for all employees, and 6) support random assignment to program models for research purposes.

The program tested the effectiveness of four types of incentives. The five basic models were as follows:

- Control sites – education only
- Education + Monetary – cash and gift certificates
- Education + Monetary – gifts with "trophy value" such as t-shirts, pens, pencils, etc.
- Education + Privileges – parking spaces, company car, dress down days, special events
- Education + Recognition – public recognition, recognition by management, etc.

A program toolkit was produced based on the analysis of previous research, advice from a panel of experts and the experience of other companies. The elements contained in the toolkit can be found at DRIVE SMART® Virginia's Web site at www.drivesmartva.com.

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Commissioner's Corner



I am pleased to have been appointed by Governor Warner as Commissioner of Labor and Industry. It is an honor to serve the Commonwealth, and I look forward to working with Virginia employers and employees to cultivate good safety, health and labor law practices, as well as expand job opportunities and workforce skills through registered apprenticeship.

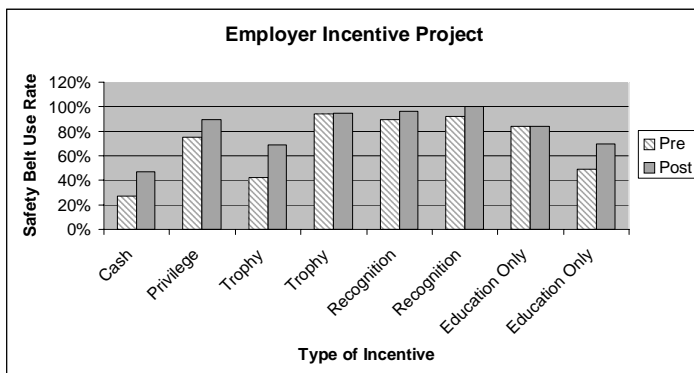
If you would like to better understand and voluntarily adhere to VOSH standards, I encourage you to take advantage of our free, confidential, on-site consultation services. At your request, we will schedule a VOSH consultant to conduct a walk-through survey of your workplace. During the survey, the consultant will identify and discuss hazards, provide abatement advice, and give you a written report of findings, including recommendations for training and help in developing a safety and health program to prevent injuries and illnesses. Although similar to a VOSH compliance inspection, a consultation visit is a strictly non-enforcement function, and no citations or penalties will be issued. However, it will be necessary for you to abate any violations found. Additional information about consultation and other DOLI services is available on our Web site – www.doli.state.va.us.

My staff and I continue to seek ways to serve you better and make Virginia a safer, more productive place to work. If you have comments or suggestions about how we can be of better service to you, please let us know.

C. Ray Davenport
Commissioner

Vehicle Injury continued from page 1

The Employer Safety Belt Program yielded results as shown below.



DRIVE SMART®Virginia and their partners will attend the Seventh Annual Virginia Occupational Safety and Health Conference in Roanoke June 19-21 and they will present further results of the program and provide tips for improving belt use for employees and their families. Also, a training workshop will be scheduled for safety and health managers who want to implement the program.

VIRGINIA WAGE LAW

contributed by Ellen Marie Hess, DOLI

The Labor and Employment Law Division of the Virginia Department of Labor and Industry administers the payment of wage law in the Commonwealth of Virginia. The Payment of Wage law is found in the Code of Virginia at section 40.1-29 and it includes provisions describing how and when wages are to be paid, and establishes penalties for companies who fail to comply with the law. Under section 40.1-29 employees must be paid for work performed. The law also requires the employer to establish regular pay periods and rates of pay. Employees who are salaried must be paid at least once a month. Hourly employees must be paid at least once every two weeks or twice a month.

The Virginia Payment of Wage law limits an employer's ability to make deductions from its employees' paychecks without prior written authorization. Virginia Code section 40.1-29 prohibits employers from making deductions, other than for taxes or other items required by law such as garnishments, without first securing the employee's written authorization to do so. Even with permission, employees cannot be required to forfeit their wages for things such as shortages, errors, damages, etc.

If you feel that you have a claim under the Payment of Wage law, you should contact the Labor and Employment Law Division at (804) 786-2386 to receive a claim form and information on filing a claim.

There are other issues surrounding the employer/employee relationship that are not related to wages and therefore are not investigated by the Virginia Department of Labor and Industry. Below is a list of some of those issues and contact information if it is needed:

Unemployment Insurance. Virginia Employment Commission: www.vec.state.va.us The Virginia Employment Commission administers the state's unemployment insurance program. For more information about unemployment claims, contact that agency at (804) 786-4359.

Overtime. United States Department of Labor: www.dol.gov The United States Department of Labor has jurisdiction to investigate overtime issues arising under the Fair Labor Standards Act.

Discrimination. Equal employment laws are administered by the Federal Equal Employment Opportunity Commission. They can be contacted at 800 E. Main Street, Suite 600, Richmond, VA 23219. (804) 771-2200. You can also contact the Council on Human Rights, Washington Building, 1100 Bank Street, Richmond, VA 23219. (804) 225-2292.

Workers' Compensation. The Virginia Department of Workers' Compensation administers payment of claims to workers injured in the workplace. For more information you should contact Virginia Department of Workers' Compensation, 1000 DMV Drive, Richmond, VA 23220. (804) 367-8600.

Layoffs. Issues concerning layoffs are handled pursuant to the Federal Worker Adjustment and Retraining Notification Act. United States Department of Labor, Employment and Training Administration, Office of Work-Based Learning, Room N-5426, 200 Constitution Ave, N.W., Washington, D.C. 20210.

Steel Erection continued from page 1

- Minimizes employee exposure to overhead loads through pre-planning and work practice requirements.
- Prescribes proper procedure for multiple lifts (Christmas-treeing).

Structural Steel Assembly

- Provides safer walking/working surfaces by eliminating tripping hazards and minimizes slips through new slip resistance requirements.
- Provides specific work practices regarding safely landing deck bundles and promoting the prompt protection from fall hazards in interior openings.

Column Anchorage

- Requires 4 anchor bolts per column along with other column stability requirements.
- Requires procedures for adequacy of anchor bolts that have been modified in the field.

Beams and Columns

- Eliminates extremely dangerous collapse hazards associated with making double connections at columns.

Open Web Steel Joists

- Requirements minimizing collapse of light-weight steel joists by addressing need for erection bridging and method of attachment.
- Requirements for bridging terminus anchors with illustrations and drawings in a non-mandatory appendix (provided by Steel Joist Institute)
- New requirements to minimize collapse in placing loads on steel joists.

Systems-Engineered Metal Buildings

- Requirements to minimize collapse in the erection of these specialized structures which account for a major portion of steel erection in this country.

Falling Object Protection

- Performance provisions that address hazards of falling objects in steel erection.

Fall Protection

- §1926.760 (a), (b) and (c) of the federal standard were not adopted. VOSH will continue to use §§1926.28(a) for heights 10' to 25' and 1926.105(a) for heights 25' and above to enforce fall protection in steel erection.

Training

- Requires qualified person to train exposed workers in fall protection.
- Requires qualified person to train exposed workers engaged in special, high risk activities.

Structures excluded from coverage under the scope of the standard are as follows:

- steel electrical transmission towers;
- steel communication and broadcast towers;

- steel water towers;
- steel light towers;
- steel tanks; and
- reinforced and pre-cast concrete structures.

On October 18, 2001, the Safety and Health Codes Board adopted the federal steel erection standard. However, the board did not adopt the following sections of the new standard: 1) § 1926.760(a) of the revised standard which requires conventional fall protection for workers at heights over 15 feet and up to 30 feet above a lower level; 2) § 1926.760(b) which addresses fall protection for connectors; and 3) § 1926.760(c) which addresses fall protection during controlled decking zone operations. VOSH will continue to enforce § 1926.28(a) and § 1926.105(a) during these steel erection activities. Employers will still be required to provide fall protection for employees during steel erection activities at heights 10 feet or greater, with the exception of connectors, which is discussed below.

[NOTE: The Board also voted on October 18, 2001 to pursue rulemaking on the issue of fall protection in steel erection.]

The following is a summary of the current VOSH policy regarding § 1926.28(a) and § 1926.105(a) during steel erection activities. VOSH will cite § 1926.28(a) when personal protective equipment (PPE) is not provided and required to be used for falls between 15 and 30 feet. VOSH will cite § 1926.105(a) when PPE is not provided and required to be used for falls in excess of 25 feet. For fall distances between 10 and 15 feet, steel erectors must provide some form of positive fall protection for employees, unless they can demonstrate that it is technically infeasible to provide such fall protection. Between 10 and 15 feet, employers may comply with § 1926.28(a), or in the alternative, provide workers with scaffolding, man lifts, personnel platforms or ladders that comply with Part 1926 standards. The only exception to the use of § 1926.28(a) and § 1926.105(a) is for connectors when steel is in the air, where it would be considered a greater hazard to have the connectors tied off than to give them freedom of movement to avoid swinging steel.

The revised standard went into effect on January 18, 2002.

If you have any questions concerning the revised steel erection standard, please call Glenn Cox, Director, VOSH Programs, at 804-786-2391.

UPCOMING MEETINGS

Migrant and Seasonal Farmworkers Board

Wednesday, April 24, 2002 at 10 AM

House Room 1, State Capitol

Contact Betty Jenkins at 804/786-2391

UPCOMING TRAINING OPPORTUNITIES

The National Resource Center for OSHA Training, a Consortium of Building and Construction Trades Department, AFL-CIO/The Center to Protect Workers' Rights, George Meany Center for Labor Studies, Inc., and West Virginia University Safety and Health Extension, 111 Massachusetts Avenue, N.W., 5th Floor, Washington, DC 20001, provided the following schedule of classes. Call (800) 367-6724 or (202) 962-8930 for additional information.

DATES:

- Apr 29 - May 2
- Jun 10 - 13
- Jun 11 - 14
- Jun 17 - 20

COURSE:

General Industry Safety &
Health Standards Trainer Course
Construction Industry Safety
& Health Standards
General Industry Safety &
Health Standards Training Course
Principles of Ergonomics
Applied to Work-related
Musculoskeletal & Nerve Disorders

LOCATION:

Silver Spring, MD
Silver Spring, MD
Morgantown, WV
Silver Spring, MD

DISCLAIMER: DOLI does not verify professional qualifications or recommend any individuals, firms or their products. The mention of individuals or company names does not constitute endorsement by the agency.

Contributed by Ronald Dick, VOSH Training Supervisor, DOLI

Seventh Annual Virginia Occupational Safety & Health Conference June 19-21, 2002

Hotel Roanoke & Conference Center
Roanoke, VA

call (804) 786-5873 or visit www.doli.state.va.us for details

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